

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 22-7890-FMO (MAAx)	Date	January 19, 2023
Title	Bernice Conley v. Joseph R. Biden, et al.		

Present: The Honorable	Fernando M. Olguin, United States District Judge
Gabriela Garcia	None Present
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:
None Present	None Present

Proceedings: (In Chambers) Further Order to Show Cause Re: Dismissal Re: Lack of Prosecution

Plaintiff filed her complaint on October 28, 2022. (Dkt. 1). By order dated January 9, 2023, plaintiff was ordered to show cause, on or before January 23, 2023, why this action should not be dismissed for failure to effect service of process as required by Rule 4 of the Federal Rules of Civil Procedure.¹ (See Dkt. 32, Court's Order of January 9, 2023 ("OSC"). The OSC stated that it would stand submitted upon the filing proofs of service or answers by defendants. (Id.). Plaintiff was admonished that "[f]ailure to file a timely response to this Order to Show Cause shall result in the action or [subject defendants] being dismissed for lack of prosecution and for failure to comply with the orders of the court." (Id.) (citing Fed. R. Civ. P. 4 & 41(b); Link v. Wabash R.R. Co., 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962)). Although plaintiff filed a response to the OSC, she did not file any proofs of service. (See, generally, Dkt.).

Accordingly, IT IS ORDERED THAT:

1. Plaintiff shall file proofs of service as to each defendant by no later than **January 25, 2023**.
2. Plaintiff is admonished that failure to file proofs of service by the deadline set forth above will result in any subject defendant being dismissed without prejudice for failure to effect service, for lack of prosecution and/or failure to comply with the orders of the court. See Fed. R. Civ. P. 4 & 41(b); Link, 370 U.S. at 629-30, 82 S.Ct. at 1388.
3. The Order to Show Cause Re: Dismissal Re: Lack of Prosecution, is hereby continued pending compliance with paragraph one above.

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Initials of Preparer	gga		

¹ All "Rule" references are to the Federal Rules of Civil Procedure.